

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

DONALD ROTH,

:

Petitioner,

ORDER

-against-

: 09 Civ. 8712 (GBD)(LMS)
02 Cr. 1503 (CM)(LMS)

UNITED STATES OF AMERICA,

:

Respondent.

:

Lisa Margaret Smith, U.S.M.J.

The Court is in receipt of a letter motion from Petitioner dated June 3, 2011 (Docket # 29 in 09 Civ. 8712, Docket # 259 in 02 Cr. 1503), in which he seeks an order (1) granting him 45 days within which to file any written objections to the as yet unissued Report and Recommendation; and (2) sealing the June 3, 2011, letter as well as documents docketed as Nos. 22 and 23 in 09 Civ. 8712 and documents docketed as Nos. 213, 218, 250, and 251 in 02 Cr. 1503.¹ With respect to the request for 45 days within which to file any written objections to the forthcoming Report and Recommendation, such application may be made to the Honorable George B. Daniels, the District Judge assigned to the § 2255 proceeding, upon Petitioner's receipt of the Report and Recommendation. With respect to Petitioner's request that certain documents be sealed, those documents were the subject of a prior request to have them sealed, which was denied. See Docket ## 22 & 23, 09 Civ. 8712 (denying request to seal docket nos.

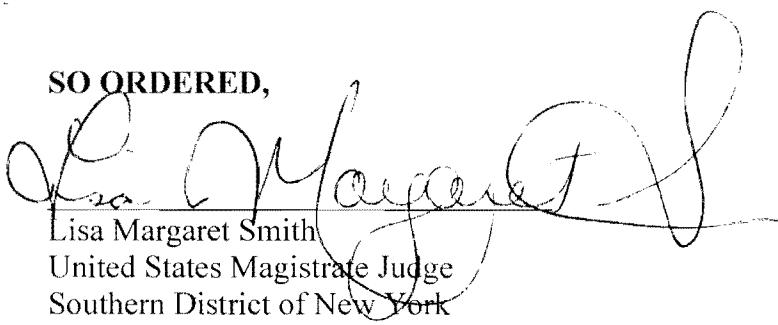
¹The June 3, 2011, included additional, administrative requests, which were addressed in a separate letter to Petitioner from the *Pro Se* Clerk.

213 and 218 in 02 Cr. 1503).² Petitioner provides no reason for reconsideration of the Court's prior decision, and accordingly, Petitioner's latest request to have these documents sealed is **denied.**

The Clerk is directed to terminate Docket # 29 in 09 Civ. 8712 and Docket # 259 in 02 Cr. 1503.

Dated: June 23 2011
White Plains, New York

SO ORDERED,



Lisa Margaret Smith
United States Magistrate Judge
Southern District of New York

Copies of this Order have been sent to:

Donald Roth, Petitioner
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FCI Sandstone
Post Office Box 1000
Sandstone, MN 55072

Benjamin Allee
Assistant United States Attorney
Office of the United States Attorney
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²Docket nos. 250 and 251 in 02 Cr. 1503 are duplicates and are the same document as docket no. 23 in 09 Civ. 8712.